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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARL E. PERSON, Plaintiff, -against- **GOOGLE INC.,** Defendant.	:	**ECF CASE** **06 CV 4683 (RPP) (AJP)** **NOTICE OF MOTION FOR A PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE THAT the plaintiff, acting *pro se*, will move this Court, before The Honorable Robert P. Patterson, Jr., United States District Judge, in Courtroom 24A of the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, 500 Pearl Street, Foley Square, New York, New York 10007, on **July 3, 2006, at 9:30 a.m.** or such date and time as the Court may set, for an Order under Rule 65, Fed. R. Civ. P., enjoining Google Inc. from offering any **keyword-targeted Internet advertising** in the United States or in New York State at Pay-Per-Click prices unless

(i) the Pay-Per-Click price offered to be paid by the Plaintiff (as a candidate for public office) or other candidates for public office or any political party (whether or not qualified to appear on the ballot as a "party") or any Political Action Committee ("PAC") is fed into Google's auction system (and competes with other advertisers for a keyword and an advertising position), without adjustment of any offered per-click price, for Quality, Landing Page, content of ad, website or landing page, any clickthrough rate, or other evaluation of ad, advertiser, website, or landing page by Google software, employees or otherwise:

(ii) all words in the English language other than obscene or illegal words are made available as keywords to Plaintiff, other candidates, all political parties and all PAC's for Google's

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auction process, and that Google's minimum 1-cent price per click is automatically given to the Plaintiff, other candidate, any political party or PAC who (a) is the only bidder for a keyword or (b) is assigned last place in the list of multiple advertisements served to a searcher by Google Google (with no lower bidder for the keyword);

(iii) Google stops requiring the elimination of abbreviations and requiring other changes in lawful copy as to the advertisements of Plaintiff, other candidates, and any political parties or PAC's;

(iv) Google stops terminating the ads of Plaintiff, other candidates or any political parties or PAC's for allegedly failing to meet the clickthrough rate or other standards or requirements of Google;

(v) Google provides notice and an opportunity for Plaintiff, other candidates, and any political parties or PAC's to participate in any special deals Google makes available to any favored advertisers, such as eBay and Amazon; and

(vi) for such other and further relief this Court deems just and equitable.

PLEASE TAKE NOTICE THAT PLAINTIFF demands an evidentiary hearing on his motion.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6(d), Fed. R. Civ. P., Defendant's response, if any, to this motion shall be due on June 30, 2006.

Dated: New York, New York
June 26, 2006

Respectfully submitted,

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